

Frank Rose

EAST FORK of the VIRGIN RIVER
Minutes of the Annual Meeting
-Wednesday-February 10, 1960

SUMMARY

A meeting of the Water Users of the East Fork of the Virgin River Distribution System and the State Engineer was held at 3 p.m. in the L.D.S. Church at Mount Carmel, Utah. Notice was sent to all of the known water users, and a copy of that notice is attached to these minutes, along with a list of those attending the meeting.

In summary a Budget of \$425.00 was adopted for the 1960 Distribution Season, and Mr. Birt Gardner of Mount Carmel was recommended for River Commissioner on the East Fork of the Virgin River, and he was approved by the State Engineer.

INTRODUCTION

Mr. Wayne D. Criddle, State Engineer, explained to the group that he and his staff were there at the request of the East Fork of the Virgin River Water Users for help in distributing the waters of that portion of the Virgin River. The users had asked for the appointment of a water commissioner by the State Engineer and to have the water distributed according to the rights and decrees affecting the East Fork of the Virgin River.

It was explained that if the East Fork of the Virgin River is placed under distribution by the State Engineer that it must be operated in line with the law and regulations governing other distribution systems so operated throughout the state.

He explained that the water users could recommend a commissioner for the State Engineer's approval, and that any commissioner would have to be under bond and under direct supervision of the State Engineer.

It was further explained that under the law the cost of distribution must be assessed to the water users, and that once distribution has been established, all water users that could affect other rights must come under the Distribution system and this may affect many users of water on streams tributary to the East Fork of the Virgin River.

The Water Users expressed urgent need for distribution control by a river commissioner, and for supervision by the State Engineer.

Mr. Criddle then asked the water users if they still wanted a distribution system and a commissioner under the conditions as explained. All of the water users present agreed that one was needed.

"Now, how much will it cost?" and "Do we have a local man available for the river commissioner's job?", Mr. Criddle asked the group.

WATER COMMISSIONER

Mr. Birt Gardner of Mount Carmel was unanimously recommended for the position by the water users. Mr. Criddle said that he was happy to accept the recommendation and that his office would work with Mr. Gardner to distribute the waters of the East Fork of the Virgin River. He indicated that Mr. Clifton Johnson, District Engineer in the Cedar City Office, would be the man most readily available to help Mr. Gardner with distribution problems during 1960.

COST OF OPERATION

When asked how much he received for his work on the river in 1959, Mr. Gardner explained that he worked 56 hours at \$1.50/hour and traveled 3383 miles at 10 cents/mile for a total of \$122.30.

Mr. Criddle said, "Gentlemen, this 56 hours is obviously not enough to run the river. More work will be required in 1960 than in the past, records must be kept and an annual report made to record the water delivered to each right. There will be some added work and travel involved in getting the new system started and proper stream gaging and water measuring devices installed."

The group discussed the spring and other tributaries to the system and the water users who should be assessed under the new system. Mr. Gardner was asked to furnish a list of rights and the names and addresses of the users that he felt should come under the system. It was pointed out that during the 4-month irrigation season that supervision would require about 18 to 20 visits to the entire system to insure adequate control and to get suitable records of distribution and river measurements.

1960 BUDGET

After much itemized discussion, the 1960 budget and a breakdown for the various items was adopted as follows:

Commissioners Salary	\$300.00
Social Security Matching	9.00
Travel 750 miles at \$0.10/Miles	75.00
Bonds and Insurance	15.90
Annual Report	15.00
Miscellaneous	11.00
	<u>\$425.00</u>

ASSESSMENT

The group decided that their assessment should be on a ground acreage basis, and that each water user would pay on his percentage of the total acreage to come under their distribution system.

AUTHORIZATION TO ASSESS

A motion was made to adopt a budget of \$425.00 for 1960 and that the State Engineer be authorized to collect the assessment on an acreage basis. The motion was carried unanimously.

Mr. Gardner agreed to furnish a list of the water users, their rights and acreage, along with the total number of acres under the system, to the State Engineer's Office so that an assessment could be properly made from that office.

DELIQUENTS

Mr. Criddle talked to the group about delinquent assessments, and explained that he had approached the other river systems of the state with this problem. The work involved in collecting delinquent accounts is considerable and there is need for establishing a penalty formula to be used throughout the state. He explained that an assessment would become

delinquent after June 1 or 60 days after the mailing of the assessment notices from the State Engineer's Office; whichever is later, and that the due date would be clearly indicated on them. He proposed a penalty of 10 percent, with a minimum of \$1.00 on a state-wide basis. The imposed fines would become part of the funds of the river system in which they were collected. The penalty would be levied, not to make the money, but to insure prompt payment of assessments and to make the financing of water distribution more efficient. A motion was made and unanimously approved that the East Fork of the Virgin River water users go on record as supporting the State Engineer's delinquency policy.

MEASURING DEVICES

The problem of measuring devices was discussed, and it was agreed that Mr. Gardner should furnish the State Engineer with a list of measuring devices and headgates needed on the river system. The water users will be notified by the State Engineer of the required structures and if action is not taken within the allowed time, the State Engineer's Office will follow up with positive action to see that measuring devices are installed by the water user before water delivery. Parshall Flumes are generally recommended for this type of delivery system.

ARTICLES OF ASSOCIATION

Several copies of Articles of Association of the Provo River Distribution System were given to the water users by Mr. Criddle, and he approached them with the problem of adopting a formal organization that would more clearly represent the interests in the river. The Articles were merely for a guide to drafting their own governing organization, if they so desire. Mr. Criddle pointed out that his office would be glad to assist the water users in establishing their water government, and that he believed such an organization would be highly desirable for them.

WATER USERS ORGANIZATION

In an effort to formulate some supervisory organization, the group was asked to select a chairman to serve for the coming year. Mr. Charles C. Anderson of Glendale, Utah was nominated as temporary chairman, and approved unanimously.

There being no further business, the meeting was adjourned.

Attending the meeting were:

Charles C. Anderson
Mark Chamberlain
Sharon C. Lamb
Birt Gardner
Normal H. Carroll

Glendale, Utah
Orderville, Utah
Mt. Carmel Irr. Co.
Mt. Carmel Irr. Co.
Orderville, Utah

Wayne D. Criddle
Donald C. Norseth
T. Vinton Smith
Frank Reese
Clarence E. Erickson Jr.

State Engineer
Distribution Engineer
Assistant Business Manager
Business Manager
Distribution Engineer

Salt Lake City, Utah February 1, 1960
TO THE WATER USERS OF THE LONG VALLEY RIVER SYSTEM:

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated, 1953, a meeting of the water users of the Long Valley River System will be held Wednesday, February 10, 1960 in the Church, 3:00 p.m. Mt. Carmel, Utah, for the purpose of: (1) Making recommendations to the State Engineer as to the appointment of a Water Commissioner for the 1960 season, and as to his duties; (2) Preparing a budget of salaries and other necessary expenses of distribution; and (3) Transacting such other business as may properly come before the meeting.

Wayne D. Criddle
STATE ENGINEER

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